HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 325 of 2006 (SS)

Km. Kamla d/o Sri Khilaf Singh
Village Kera, Mane, Vikas Khand Tharai,
District Chamoli ..... Petitioner

Versus

1. State of Uttaranchal
2. Block Education Officer, Vikas Khand Tharali, District Chamoli
3. Village Education Committee, Village Kera Village Panchayat Mane, Post Dungi Vikas Khand Tharali, District Chamoli
4. President School Management Committee, Primary School, Kera, Gram Panchayat Kera, District Chamoli
5. Km. Beena D/o bhim Singh r/o village Main, District Chamoli ..... Respondents

. Sri S.S. Yadav, Advocate for the petitioner
Standing Counsel for the respondents.

Dated: 9.3.2006

Hon'ble Rajesh Tandon, J.

Heard Sri S.S. Yadav counsel for the petitioner and Standing Counsel for the respondents.

By the present writ petition the petitioner has prayed for a writ of certiorari quashing the appointment order issued to respondent no. 5 on 12.2.2206.

Briefly stated according to the petitioner she is M.A and is permanent resident of village Kera, Block Tharali, District Chamoli. Pursuant to the advertisement dated 18.8.2005 in the daily news paper Dainik Jagaran for the posts of Shksha Mitra

in various primary school of District Chamoli, the petitioner has applied for the post of Shiksha Mitra at Primary School, Kera. Her name for the appointment of Shiksha Mitra in primary School, Kera has been recommended by the Village Shiksha Samiti and sent its recommendations to the Block Education Officer, Tharali. The petitioner has alleged that the respondent no.4 without holding the meeting of the Block Education Committee, appointed respondent no. 5 Km. Beena, who is said to be the resident of village Mein, outside the village Panchayat Khera.

The grievance of the petitioner is that the appointment of Km. Beena on the post of Shiksha Mitra was made by the Block Education Officer against the recommendation of the Village Education Committee.

In view of the above, liberty is given to the petitioner to make a representation before the respondent no. 2 within 15 days after obtaining certified copy of this order, who shall decide the same within one month thereafter.

Subject to the observations made above, the writ petition is disposed.

Dated: 9.3.2006 **Rajesh Tandon, J.**

*Dhyani